

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WINN-DIXIE STORES, INC., et al.,

Plaintiffs,

v.

**EASTERN MUSHROOM MARKETING
COOPERATIVE, et al.,**

Defendants.

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CIVIL ACTION

No. 15-6480

ORDER

AND NOW, this 8th day of **January 2020**, upon consideration of Motion to Dismiss of Franklin Organic Mushrooms, Inc. Pursuant to Rule 12(b)(5), Plaintiffs' Cross-Motion for Enlargement of Time to Serve Process on Franklin Farms, and the responses and replies thereto, and for the reasons stated in this Court's Memorandum dated January 8th 2020, it is **ORDERED** that:

1. Motion to Dismiss of Franklin Organic Mushrooms, Inc. Pursuant to Rule 12(b)(5) (Document No. 160) is **DENIED**.
2. Plaintiffs' Cross-Motion for Enlargement of Time to Serve Process on Franklin Farms (Document No. 172) is **GRANTED**. Winn-Dixie shall have fourteen days from the date of this Order to effectuate service of process on Franklin Organic Mushrooms, Inc.

BY THE COURT:



Berle M. Schiller, J.